

Acton Board of Health

Minutes

January 8, 2007

Members Present: William McInnis, Chairman, Dr. Bill Taylor, Pam Harting-Barrat,
Member

Staff Present: Brent Reagor and Sheryl Ball.

Others Present: Robert Elliot, Peg Mikkola, Joelle Darcy

The meeting was called to order at 7:31 p.m.

Aquifer Special Permit – 737 & 741 Main Street

The Health Department is in receipt of an Aquifer Zone 3 Special Permit application for new construction of eight (8) – three bedroom condominiums units located at Madison Place, 737 Main Street and a repair for 741 Main Street. The Health Department has reviewed this request and finds that construction activities are located outside the 100' buffer and meets all requirements of Article 16. Mr. McInnis asked Mr. Reagor what the purpose of an aquifer special permit is. Mr. Reagor stated that the purpose is to protect the groundwater. This site is located outside of the 100' of the bordering wetlands. Mr. McInnis questioned why this request is before the Board due to it is 100' from the wetlands. Mr. McInnis stated that this should always be allowable or never allowable. Mr. Reagor stated that we could change Article 16 to reflect this change so these requests do not need to go before the Board in the future. Mr. McInnis stated that a policy could be created to eliminate the need for Board approval in cases such as this one. These zones were delineated in the 80's and have not been done since. The Health Department recommends approval of this request. The Board decided that they would like to continue to issue these special permits as the Board has the ability to place additional conditions on the special permit if necessary.

On a motion made by Dr. Taylor, seconded by Dr. Harting-Barrat, the Board unanimously voted to grant an Aquifer Zone 3 Special Permit to the property located at 737 Main Street and 741 Main Street.

Acton Public Health Nursing Service Update – Joelle Darcy, Administrator

Ms. Joelle Darcy, Administrator for the Acton Public Health Nursing Service gave the board an overview on the financial status of the Nursing Service. Ms. Darcy stated that the financial status has improved from last year due to the collection of past due accounts. Ms. Darcy stated that the service is operating about \$15,000 in the positive. Ms. Darcy also stated that last year they received patients referrals that were in need of a lot of services which are not all reimbursed by Medicare which cost them money, however, this year they have not received a lot of these types of patients. Ms. Darcy also stated that her staff has developed a good relationship with families. Ms. Darcy stated that her staff has worked very hard and short staffed. Ms. Darcy stated that it has been hard to keep staff as this agency cannot compete with the current salaries for nurses. Ms. Darcy stated that currently their staff consists of a full time administrator and one 32 hour clinical supervisor and one per diem nurse used for weekend coverage or excess load. Ms. Darcy stated that the contract and per diem nurses plus both the 32 hour clinical supervisor and Ms. Darcy are picking up the slack caused by the departure of nurse. Ms. Darcy stated that she needs another 32 hour staff nurse and additional home health aids. Ms. Darcy stated that the previous nurse left and took a similar job in a similar agency making more than her pay. Ms. Darcy stated that she is concerned with losing additional staff based on the current salaries. Ms. Darcy also stated that the nurses are being enticed with more benefits including money and vacation time and we are not able to compete with that. Ms. Darcy stated that she would like to see their jobs reclassified. The Board asked if a salary survey had been done with the other towns. Ms. Darcy stated the town most similar to us would be the Town of Stoughton where their administrator makes between \$64,000 - \$85,000. Ms. Darcy further stated that she does have a little support from students at Fitchburg State College, however, the new graduates are not generally going into community health. Mr. McInnis stated that the Selectmen's issue at that time was that other employees would want a reclass and they were afraid of the ripple effect. Mr. McInnis did state that they were successful in getting them reclassified. The Board stated that one way to do the reclass would be a differential based on education. It was also stated that the

Nursing Service operates under a revolving fund and any increases would not be taken from the tax base. The Board was in agreement with looking at a reclass. Mr. McInnis asked the Board if they would be inclined to bring this issue up at the Selectmen oversight committee. The Board agreed that this issue should be addressed.

Ms. Darcy stated that their policies are very dated and would like some support to get them updated. Ms. Darcy stated that she would like to hire a consultant to do this work.

Ms. Darcy stated that she would like to look at going back into re-certification for quality control reasons. Ms. Darcy will need to budget this but would like to secure funding. Ms. Darcy stated that they are currently operating under budget mostly due to staffing shortages. Ms. Darcy stated that she is actively working on a wellness university day along with the COA staff and the Health Department. Ms. Darcy also stated that she would like to add some community services and is trying to determine what would be the best for the town of Acton.

Septic System Maintenance Plan – Haartz - 87 Hayward Road

One of soil absorption system serving 87 Hayward Road has experienced a backup. The backup has been traced back to improper pump control settings. The control setting was changed to dose more often and caused the backup to occur. Haartz understands that this is a temporary fix and they understand that within a certain amount of time a solution needs to be in place. Mr. McInnis stated that we could give them up to two years but would like to see a condition placed on this request. Haartz has hired a licensed septic system operator to prepare a proposed maintenance plan. The applicant is proposing to use a combination of chemical and physical processes to assist with the repair of the system. The system that experienced the backup will then need to be rested. The Board asked how long this will take. Mr. Reagor stated that it depends on the damage done. The Board questioned if this property could hook up to sewers. It was stated that the sewer pipes would need to be brought through the high school ball fields.

On a motion made by Dr. Harting-Barrat vote to endorse the proposed approach that Haartz Corp., 87 Hayward Road has outlined, seconded by Dr. Taylor, with the following conditions:

1. A 2 inch monitoring tube, which shall be constructed in accordance with Health Department requirements, be placed in the soil absorption system. Readings shall be taken of the level of ponding present in the SAS, using this tube, weekly during the treatment regimen. After the regimen is complete, the readings shall continue on a bi-weekly basis for a period of six months, with the results submitted to the Health Department on a monthly basis.
2. Within three years of the completion of the treatment process, Haartz shall submit an application and design for replacement of the onsite wastewater system. Once approved and permitted, the system must be installed within (90) days.

Hazardous Materials Control Permit – Acton Auto Tech - 336 Great Road

The new owner's of Acton Auto Tech, located at 336 Great Road, is seeking a Hazardous Materials Control Permit. The primary business is performing automotive repair and the facility consists of a two-bay garage with a waste oil tank outside of the building which has secondary containment. This business is separate from the gas station operations. The hazardous materials stored on site are oil and miscellaneous automotive fluids. During a site visit it was noted that the area is neat and organized. The Health Department recommends approval of this request. On a motion made by Dr. Harting-Barrat, seconded by Dr. Taylor, the Board unanimously voted to grant a Hazardous Materials Storage Permit to Acton Auto Tech located at 336 Great Road with the following conditions:

1. All liquid Hazardous Materials and Wastes shall be stored in a containment area capable of containing 110% of the largest volume stored in the containment area.
2. All material safety data sheets (MSDS) for the Hazardous Materials shall be maintained on site. MSDS's shall be reviewed with the employees at the time of their employment and on an annual basis thereafter. MSDS sheets must be made available to all employees upon request.
3. A Contingency Plan, including emergency contact numbers (telephone numbers of owner, operator, etc.) and a sketch showing clearly all Hazardous Material and Waste locations shall be submitted and updated annually, to the Board of Health, Fire Department, Police Department and Civil Defense.

4. Emergency procedures and local Emergency Response Telephone Numbers (Health, Fire, Police, D.E.P., Civil Defense, etc.) should a spill occur, shall be posted in clear view of all employees where Hazardous Materials or Wastes are used or stored.
5. All Hazardous Wastes must be disposed of by a licensed. D.E.P. approved, hauler or be recycled on site.
8. Speedy Dry, or its equivalent, shall be kept in the storage area, in case of a Hazardous Materials or Wastes spill.
9. Floor cleaning procedures and bathroom sanitation products shall use only nontoxic and biodegradable cleaning compounds.
10. All floor drains shall be sealed or discharged into a closed system, with the waste disposed of by a D.E.P. approved Hazardous Waste Hauler.
11. Protective equipment, including chemical resistant gloves, eye goggles, and (rubber) boots, in addition to soap and water, shall be made available to all employees, at all times, in any Hazardous Materials or Waste Storage or use area.
12. No Hazardous Materials or wastes shall be discharged into a sink or toilet.
14. A fire extinguisher, containing an appropriate fire extinguishing agent, shall be placed in the Hazardous Materials Storage Area.
15. No food or drink shall be stored or consumed in any area where Hazardous Materials are stored or used.
18. D.E.P. Generator Registration shall be provided annually upon renewal of the Hazardous Materials Storage Permit.
25. Prior to any new chemical or processes being used, the Board of Health shall be notified.
26. The operation of this facility shall be in compliance with all present and future applicable laws or regulations of the Federal or State Governments.

Other -

- The Board congratulated Mr. Reagor on the selection by The New England Water Management Association, Inc. for presentation of his abstract at their annual conference.

Adjournment

On a motion made by Dr. Harting-Barrat, seconded by Dr Taylor, the Board unanimously voted to adjourn the Board of Health meeting at 9:35 P.M.

Respectfully Submitted,



Sheryl Ball, Health Secretary
Acton Board of Health



William McInnis, Chairman
Acton Board of Health